

1 HEATHER E. WILLIAMS, SBN 122664  
Federal Defender  
2 DOUGLAS BEEVERS, SBN 288639  
Assistant Federal Defender  
3 Designated Counsel for Service  
801 I Street, Third Floor  
4 Sacramento, CA 95814  
T: (916) 498-5700  
5 F: (916) 498-5710

6 Attorneys for Defendant  
CARLOS PEREZ  
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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, ) Case No. 1:21-CR-0179-JLT  
11 )  
Plaintiff, ) **STIPULATION AND ORDER REGARDING**  
12 ) **VIDEO-TELECONFERENCE CHANGE OF**  
vs. ) **PLEA & SENTENCING**  
13 )  
CARLOS PEREZ , ) Date: March 6, 2023  
14 ) Time: 10:00 A.M.  
Defendant. ) Judge: Hon. Jennifer L. Thurston  
15 )

16 IT IS HEREBY STIPULATED and agreed by and between United States Attorney  
17 Phillip A. Talbert, through Assistant United States Attorney Justin Gilio, counsel for Plaintiff,  
18 and Federal Defender Heather Williams, through Assistant Federal Defender DOUGLAS  
19 BEEVERS, counsel for Mr. PEREZ, that the change of plea and sentencing hearings in this  
20 matter may proceed by video-conference (“VTC”). The parties specifically stipulate as follows:

- 21 1. On March 30, 2020, Chief United States Judge Mueller issued General Order 614,  
22 “Coronavirus Public Emergency Authorizing Video-teleconferencing and  
23 Telephone Conferencing for Criminal Proceedings Under Section 15002 of the  
24 Coronavirus Aid, Relief and Economic Security (CARES) Act,” which authorizes  
25 the use of videoconferencing – or telephone phone conferencing if  
26 videoconference is not reasonably available – in various criminal proceedings,  
27 including felony changes of plea and sentencing hearings.  
28

- 1           2.     On January 4, 2021, General Order 628 (“GO 628”) extended General Order 614  
2                 for an additional 90 days.
- 3           3.     GO 628 authorizes felony changes of plea and sentencing hearings to proceed via  
4                 VTC if:
- 5                     i)     The judge of the case finds, for specific reasons, that a felony  
6                             change of plea and sentencing cannot be further delayed without  
7                             serious harm to the interests of justice; and
- 8                     ii)    The defendant, following consultation with counsel, consents to  
9                             appearing for the change of plea and sentencing hearing via VTC.
- 10          4.     The parties stipulate that for specific reasons, the change of plea and sentencing in  
11                 this matter cannot be further delayed without serious harm to the interests of  
12                 justice. Specifically, Mr. PEREZ seeks to accept a plea offer with a time -served  
13                 sentence, as soon as possible and his attorney has been subpoenaed to testify in  
14                 another case on Wednesday March 8, 2023, in Sacramento, thus an in-person  
15                 hearing would be delayed for an other week. Any delay could also interfere with  
16                 Mr. Perez’s treatment.
- 17          5.     The defense has affirmed, and both parties stipulate, that Mr. PEREZ has had an  
18                 opportunity to consult with counsel regarding the nature of his appearance for his  
19                 change of plea and sentencing hearing, and following such consultation, he  
20                 consents to appearing for his change of plea and sentencing hearing via VTC.
- 21          6.     The parties therefore respectfully request this Court to find that the change of plea  
22                 and sentencing in this matter may proceed via VTC as currently scheduled.

23                     Respectfully submitted,

24                     HEATHER E. WILLIAMS  
25                     Federal Defender

26     Date: March 6, 2023

27                     /s/ Douglas Beevers  
28                     DOUGLAS BEEVERS  
                       Assistant Federal Defender  
                       Attorneys for Defendant  
                       CARLOS PEREZ

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Date: March 6, 2023

PHILLIP A. TALBERT  
Acting United States Attorney

/s/ Justin Gilio  
JUSTIN GILIO  
Assistant United States Attorney  
Attorneys for Plaintiff

**ORDER**

The Court, having received and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order.<sup>1</sup>

IT IS SO ORDERED.

Dated: **March 6, 2023**

  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> The Court notes, however, that contrary to the recitation here, the superseding information charges Mr. Perez with a Class misdemeanor, rather than a felony.